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50 CFR Part 17

RIN 1018-AB75

Endangered and Threatened Wildlife and Plants: Proposed Endangered Status for a Florida Plant, Okeechobee Gourd

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Service proposes to list the Okeechobee gourd, *Cucurbita okeechobeensis*, as an endangered species pursuant to the Endangered Species Act of 1973 (Act), as amended. This vine is native to the southern shores of Lake Okeechobee in Palm Beach County in south Florida; it also has been collected in Glades County on an island in Lake Okeechobee and in Broward and Dade Counties, where it was apparently ephemeral. Nearly all of this vine's former native habitat has been developed for agricultural purposes. The vine persists at a few sites on the shore of Lake Okeechobee, where it is vulnerable to vegetation management measures and to the consequences of water level management. The small sizes of the existing populations also render the species highly vulnerable to extinction. The Service seeks data and comments from the public on this proposal.

DATES: Comments from all interested parties must be received by July 20, 1992. Public hearing requests must be received by July 6, 1992.

ADDRESSES: Comments and materials concerning this proposal should be sent to the Field Supervisor, Jacksonville Field Office, U.S. Fish and Wildlife Service, 3100 University Boulevard South, suite 120, Jacksonville, Florida 32216. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Michael M. Bentzien, Assistant Field Supervisor, at the above address (telephone: 904-791-2580 or FTS 946-2580).

SUPPLEMENTARY INFORMATION:

Background

Cucurbita okeechobeensis (Okeechobee gourd) is an annual, fibrous-rooted, high-climbing vine with tendrils belonging to the gourd family (Cucurbitaceae). Its leaf blades are heart-to-kidney shaped, with 5–7 shallow, angular lobes and irregularly serrated margins (the closely related *Cucurbita martinezii* has more regularly serrated margins) (Walters and Decker-Walters, in press). Young leaves are covered with soft hairs. The cream colored flowers are bell-shaped, with the corolla 6–7 centimeters (2–3 inches) long; they can be distinguished from flowers of *C. martinezii* by the presence of dense pubescence (hairs) on the hypanthium (the tube formed by the fused bases of the petals and sepals) of the male flower and on the ovary of the female flower. The gourd is globular or slightly oblong, light green with 10 indistinct stripes, hard shelled with bitter flesh. The seeds are gray-green and flat (Small 1930, Tatje 1930, Walters and Decker-Walters 1991).

Merrill (1944) and Harper (1958) speculated that William Bartram saw the Okeechobee gourd on the St. Johns River in northern Florida, but archeological study of seed remains indicates that another wild cucurbit (*Cucurbita pepo* ssp. *ovifera* var. *texana*) was present in the watershed until the 18th century, so Bartram did not necessarily see the Okeechobee gourd (Decker and Newsom 1988).

Small (1922, 1930) found the Okeechobee gourd to be locally common in pond apple (*Annona glabra*) forests along the south shore of Lake Okeechobee, but at least 95 percent of this habitat had already been destroyed by 1930 when he named the gourd *Pepo okeechobeensis* (Small 1930). Bailey (1930) transferred the species to the genus *Cucurbita*, which includes pumpkins, squashes, and gourds. In a subsequent publication, Bailey (1943) described two new gourd species, *Cucurbita martinezii* and *Cucurbita lundelliana* (Martinez and Lundell gourds, respectively). These two species have proven to be closely related to *C. okeechobeensis* (Rhodes et al. 1968, Bemis et al. 1970). The three species are the only members of the genus *Cucurbita* with small gray-green seeds, and *C. martinezii* and *C. okeechobeensis* are the only species with cream-colored corollas (all others are bright yellow). *Cucurbita martinezii* occurs in Mexico near the Gulf coast in the states of Veracruz, Tamaulipas, eastern San Luis Potosi, and Puebla, as well as in northern Oaxaca and Chiapas. The high-climbing vines grow at forest edges, along streams, and as a weed in coffee and citrus plantations. *Cucurbita lundelliana* is restricted to the limestone plains of Yucatán in Mexico, Belize, and Guatemala, as well as Honduras (Walters and Decker-Walters 1991).

Robinson and Puchalski (1980) re-examined the herbarium specimens Bailey had used or made from cultivated material, as well as more recent specimens, available cultivated material, and information on morphology, crossability, disease resistance, and isozymes (including their own work). They showed that the morphological distinctions Bailey had made between *C. okeechobeensis* and *C. martinezii* were incorrect, that the two taxa seemed indistinguishable, and that they should be assigned to the same species.

Previously, Filou (1966) had recognized the similarity between the Okeechobee and Martinez gourds, recognizing them as varieties, with the Martinez gourd called *Cucurbita okeechobeensis* var. *martinezii*.

However, this new combination of names by Filov fails to meet the requirements of the International Code of Botanical Nomenclature because neither Small's original name for the plant nor Small's nor Bailey's publications were cited.

Andres and Nabhan (1988) recognized the Okeechobee gourd and the Martinez gourd as geographical subspecies, based on a survey of 10 enzyme systems; the two taxa appeared distinct for one of the 10 systems. They also found that the Martinez and the Lundell gourd were identical for that one system. R.W. ...binson (in litt. 1988) rejected the idea of establishing a subspecies on the basis of a single allelic difference. The Service, agreeing with Robinson's assessment, took the position that until further systematic study showed otherwise, the Okeechobee gourd in Florida could not reasonably be considered distinct from the widespread Mexican *C. martinezii*, and was consequently ineligible for federal listing.

In 1990, the Service helped fund a field and systematic survey of the gourd sponsored by the Center for Plant Conservation and conducted by Terrence W. Walters and Deena Decker-Walters, experts on the systematics of *Cucurbita*. The new study coincided with a severe drought that lowered the level of Lake Okeechobee, exposing bare ground that provided optimal germination and growing conditions for the Okeechobee gourd. As a result, the Walters' searches for the gourd were highly successful.

The Walters systematic study analyzed morphological, phenological (time of flowering and fruiting) characters and isozyme characters. They found that *Cucurbita lundelliana* is morphologically distinct from the other two taxa (as other taxonomists had found). There is a general lack of morphological discontinuities between *C. okeechobeensis* and *C. martinezii*, except that the two taxa can be reliably distinguished by the presence of pubescence on the male hypanthium and female ovary in *C. okeechobeensis*. The Walters' isozyme analysis surveyed 10 enzyme systems, revealing 40 alleles at 20 loci. The analysis showed substantial genetic diversity within *C. lundelliana—martinezii* more than exists within C. *okeechobeensis* and *C. martinezii* if they are considered a single species. The Walters confirmed the report of Andres and Nabhan (1988) that all the populations of *Cucurbita okeechobeensis* are fixed for a unique allele at one locus, while the other two taxa are fixed for another allele.

The Walters conclude that *C. lundelliana* is an older, genetically more diverse species than the other two, and that *C. lundelliana* exhibits a closer relationship to *C. martinezii* than to *C. okeechobeensis*. For the most part, the alleles present in *C. okeechobeensis* are a subset of those present in *C. martinezii*, although the two taxa can readily be distinguished. Using the methods of Nei (1981) and Sarich (1977), the Walters calculated an estimated time since divergence between *C. martinezii* and *C. okeechobeensis* around 450,000 years ago. While these calculations must be interpreted cautiously, they suggest that *C. okeechobeensis* is more likely a remnant population from a time when its ancestors had a continuous distribution around the periphery of the Gulf of Mexico, rather than a recent immigrant to Florida that floated across the Gulf of Mexico or was deliberately introduced by Indians.

Overall, the Walters found that *C. lundelliana* was distinct, to an extent typical of full species, from the other two taxa, and that *C. martinezii* and *C. okeechobeensis* should be considered distinct at the subspecies level. Under the rules of botanical nomenclature, the name *Cucurbita okeechobeensis* will be applied to both the Okeechobee and Martinez gourds, with the Okeechobee gourd becoming subspecies *okeechobeensis* (Andres and Nabhan 1988). The nomenclatural transfer will be published by Walters and Decker-Walters (in press). In the interim, the Okeechobee gourd can be called *Cucurbita okeechobeensis sensu stricto* (i.e. in the narrow sense). References to *Cucurbita okeechobeensis* or Okeechobee gourd in this proposal refer exclusively to the Florida plants.

Okeechobee gourd persisted around Indian villages with the Seminole pumpkin, *Cucurbita moschata* (Small 1930). The Seminole pumpkin, with edible flesh, had been an important food crop, while the extremely bitter flesh of the Okeechobee gourd precludes its use for food, although the seeds are edible and nutritious, and the flesh has detergent properties (Robinson and Puchalski 1980). Okeechobee gourd may have been used as "the fruit of *C. martinezii* was, at least until the recent past, as a ball or rattle, a utensil such as a small ceremonial cup, or for its detergent quality" (Andres and Nabhan 1988). The Seminole pumpkin is still cultivated in Florida, and may have been confused with the Okeechobee gourd by Avery and Loope (1980). Morton's (1975) suggestion that the Seminole pumpkin may be a derivative of the Okeechobee gourd is not supported by systematists (Bailey 1930, Andres and Nabhan 1988).

Cucurbita martinezii is currently used as a source of disease resistance for summer squash, pumpkins, and gourds (*Cucurbita pepo*) (T. Andres, Cornell Univ., pers. comm. 1987). It and *Cucurbita okeechobeensis* are resistant to cucumber mosaic virus, powdery mildew, bean yellow mosaic virus, tobacco ringspot virus, tomato ringspot virus, and squash mosaic virus (Robinson 1980). Both of these wild gourds represent germplasm that can be used in breeding economically valuable cultivated members of the Cucurbitaceae family (Esquinas-Alcazar and Gulick 1983), and both of these wild gourds are maintained in cultivation for this purpose. Additionally, the Okeechobee gourd has in its leaves, roots, and fruits, the richest content of cucurbitacins in the genus. These bitter chemicals render the fruits inedible, if not poisonous, to humans, but are attractive to southern corn rootworm and striped cucumber beetle, so cucurbitacin-rich plants could be used to lure these pests away from crops (G. Nabhan, Desert Botanical Garden, in litt. 1988).

The Okeechobee gourd was collected or observed infrequently after 1930; in 1941, it was found on Observation Island in Lake Okeechobee, Glades County. This mile-long island, covered with Australian pine, is accessible only be helicopter or airboat and lies within the critical habitat of the federally endangered snail kite (*Rostrhamus sociabilis plumbeus*). A search of 22 sites on or near the southern shores of Lake Okeechobee (Tatje 1980) failed to find the gourd, but a 1981 search turned up the gourd in some of the same areas: lake, levee, and canal banks at Kreamer and Torry Islands in Lake Okeechobee near Belle Glade (Florida Natural Areas Inventory data). In 1965, it was seen north of Homestead in an agricultural area of Dade County (Florida Natural Areas Inventory data). A population on a disturbed roadside north of Andytown, Broward County, was discovered in 1978 and destroyed by road construction the next year (Tatje 1980). The plant has not been observed by personnel of the South Florida Water Management District, which manages much of the potential habitat in and near Lake Okeechobee (W. Dineen, South Florida Water Mgt. Distr., pers. comm. 1986).

Gary Paul Nabhan (in litt. 1987; 1988) and Jono Miller searched for Okeechobee gourd in March 1987. They found three gourds in a small remnant

stand of small pond apples, many of them apparently in decline, with dead branches. The stand was inundated in 1.5–2 feet of water with the lake at 15.2–15.3 feet above mean sea level (lake level provided by Mr. Walt Dineen, South Florida Water Management District). Nabhan noted that the gourd seemed to need the natural trellises of pond apple branches, although the pond apple persists at some sites where gourds have not been seen, including Ritta Island on the south side of the lake. Nabhan suggested that remnant pond apple stands cound be managed to encourage both pond apples and gourds, possibly by erecting low levees to provide winter low water levels of 12 feet or lower, to provide exposed ground for gourd seeds to germinate. Gourd vines had last been seen in 1981, when a drought caused the lake to drop to its lowest recorded level of 9.75 feet (Florida Natural Areas Inventory).

In winter and early spring of 1990–91, during a drought when Lake Okeechobee's level was about 12 feet, Walters and Decker-Walters (1991) found 50 gourds at Nabhan's site, and 10 other population sites. Gourd plants were found climbing on pond apple trees, and, more abundantly, on elderberries and other woody plants, including papaya. Gourds also sprawled across herbaceous plants—something Nabhan had looked for but not seen. The Walters and Nabhan both suggest that Okeechobee gourds disperse by floating in canals; the Walters provide evidence that marsh rabbits are the main terrestrial dispersal agent. They saw a rabbit gnawing on a green gourd and saw gnawed and broken gourds in animal nests, presumably made by marsh rabbits.

Excellent seed germination sites for the Okeechobee gourd appear to be provided by alligator nests, where water-dispersed gourds wash up on shore and the seeds germinate in warm soil in full sun, without competition from other plants. The seeds germinate in early spring during the dry season, when the lake level is low (seedlings do not tolerate water-soaked soils for extended periods of time). By the rainy season, the vines have climbed shrubs, avoiding complete inundation as the lake rises. The Walters conclude that "for the gourd to maintain viable health populations, fluctuations in lake level are necessary. High lake levels facilitate gourd dispersal and inundate and destroy aggressive weeds in local habitats. As lake levels decrease, the cleared open habitats allow the quickly germinating Okeechobee gourd seeds to sprout and begin climbing before they have to compete with other pioneer species."

Section 12 of the Endangered Species Act of 1973 directed the Secretary of the Smithsonian Institution to prepare a report on plants considered to be endangered, threatened, or extinct. This report, designated as House Document No. 94–51, was presented to the Congress on January 9, 1975. On July 1, 1975, the Service published a notice in the **Federal Register** (40 FR 27823) of its acceptance of the report as a petition in the context of section 4(c)(2) (now section 4(b)(3)) of the Act, as amended, and of its intention to review the status of the plant taxa contained within. *Cucurbita okeechobeensis* was included in these documents as a threatened species. On December 15, 1980, the Service published a notice of review for plants (45 FR 82480), which included *Cucurbita okeechobeensis* as a category 2 candidate (a taxon for which data in the Service's possession indicates listing is possibly appropriate); the species retained category 2 status in a notice of review published September 27, 1985 (50 FR 39526).

In the notice of review published February 21, 1990 (55 FR 6184), the gourd was changed to Category 3B (a name that, on the basis of current taxonomic understanding, does not represent a distinct taxon meeting the Act's definition of "species"). The change came after the Service concurred with comments by Richard W. Robinson (New York State Agricultural Experiment Station, in litt. 1988), a specialist in the genus, who did not support the recognition of a taxonomic distinction between the Florida plants of *Cucurbita okeechobeensis* from those of *Cucurbita martinezii*, of Mexico. Gary Paul Nabhan (Desert Botanical Garden, Phoenix, in litt. 1988 and pers. comm.) and other specialists in *Cucurbita* had urged proceeding with listing. The taxonomic questions that prevented listing have been answered by Walters and Decker-Walters (1991).

Section 4(b)(3)(B) of the Act, as amended in 1982, requires the Secretary to make findings on certain pending petitions within 12 months of their receipt. Section 2(b)(1) of the 1982 Amendments further requires that all petitions pending on October 13, 1982, be treated as having been newly submitted on that date. This was the case for *Cucurbita okeechobeensis* because the Service had accepted the 1975 Smithsonian report as a petition. In each October from 1983 through 1989, the Service found that the petitioned listing of this species was warranted but precluded by other listing actions of a higher priority, and that additional data on vulnerability and threats were still being gathered. In 1990, the notice of review removed the gourd from consideration for listing because it appeared ineligible, based on the current understanding of its taxonomy. The 1991 status survey, funded by the Service, removes the taxonomic uncertainty and provides the information needed to proceed with listing. The present listing proposal constitutes the final petition finding.

Summary of Factors Affecting the Species

Section 4(a)(1) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and regulations (50 CFR part 424) promulgated to implement the listing provisions of the Act set forth the procedures for adding species to the Federal lists. A species may be determined to be an endangered or threatened species due to one or more of the five factors described in section 4(a)(1). These factors and their application to *Cucurbita okeechobeensis* (Small) Bailey *sensu stricto* (=*Pepo okeechobeensis* Small), Okeechobee gourd, are as follows:

A. The Present or Threatened Destruction, Modification, or Curtailment of its Habitat or Range

Unitl the 1920's Okeechobee gourd was abundant in swampy pond apple forests along the shore of Lake Okeechobee. John K. Small (1930) estimated that 95 percent of the former range of Okeechobee gourd had already been destroyed by agricultural development. It would appear that by 1930 Okeechobee gourd met the present-day standards for listing as an endangered species.

Since 1930, natural vegetation that remained along the lake shores was further affected by lowering of the lake level from a maximum of about 20 feet above sea level (with an extreme range of stage of 7 or 8 feet). During the 1920's attempts were made to keep the lake within 13.5 to 16.5 feet (with the lake staying below minimum for most of three years). The current preferred range is 15.5 to 17.5 feet (Johnson 1974, Blake 1980, Fernald and Patton 1984). The lake level has fallen below the preferred range during dry periods in recent years, providing bare muck where the Okeechobee gourd's seeds can germinate. Any change in lake level management that would reduce the likelihood of low water would threaten this species, and changes in management that would result in more

frequent low-water episodes might be beneficial.

Construction of the Hoover Dike and other water management facilities, planting of exotic melaleuca trees, the spread of Australian pine (*Casuarina*), and the use of Torry and Kreamer Islands (now owned by the State) for pasture also affected the habitat of this plant. Herbicide use for vegetation management purposes may also have affected the gourd. The Okeechobee gourd persists, in small numbers, in highly modified vegetation, and is highly vulnerable to further modifications of that vegetation.

B. Overutilization for Commerical, Recreational, Scientific, or Educational Purposes

Due to the limited distribution and small population sizes of Okeechobee gourd, indiscriminate collecting of any nature could seriously affect this species. Hobbyist interest in gourds raises the possibility of such collecting.

C. Diseases or Predation

Not applicable.

D. The Inadequacy of Existing Regulatory Mechanisms

Cucurbita okeechobeensis is listed as an endangered species under the Preservation of Native Flora of Florida law (section 581, 185–187, Florida Statutes), which regulates taking, transport, and sale of plants but does not provide habitat protection. The Endangered Species Act will provide additional protection through sections 7 and 9, recovery planning, and the Act's additional penalties for taking of plants in violation of Florida law.

E. Other Natural or Manmade Factors Affecting its Continued Existence

The Okeechobee gourd is extremely sensitive to frost damage, much more so than tomatoes (R.W Robinson, pers. comm. 1987). This sensitivity probably limits its range, but the taxon did survive the extraordinary freezes of the 1980's, possibly because its annual life cycle minimizes the risk of freeze damage, with germination in early spring and fruit maturation by December. The small number of populations of Okeechobee gourd and their genetic uniformity raises questions about whether the plants might be suffering inbreeding depression (Falk and Hosinger 1991).

The Service has carefully assessed the best scientific and commercial information available regarding the past, present, and future threats faced by this species in determining to propose the rule. Based on this evaluation, the preferred action is to list *Cucurbita okeechobeensis* as an endangered species. As discussed under Factor E., the great majority of the habitat of this species was destroyed 50 years ago, and the species is barely persisting in heavily modified areas that are subject to erratic flooding. Thus, this species meets the Act's requirements for listing as an endangered species.

Critical Habitat

Section 4(a)(3) of the Act, as amended, requires that, to the maximum extent prudent and determinable, the Secretary propose critical habitat at the time the species is proposed to be endangered or threatened. The Service finds that designation of critical habitat is not prudent for this species. All of the populations of Okeechobee gourd are very small and localized. Designation of critical habitat could attract collectors and curisioity-seekers, inasmuch as there is hobbyist interest in gourds. Although Federal listing as endangered provides penalties in addition to those provided in Florida law against unauthorized removal of Okeechobee gourd plants from public land, such prohibitions against take are difficult to enforce, and publication of critical habitat descriptions and maps would only add to the threats faced by this species. Designation of critical habitat could help focus the attention of managers for the Army Corps of Engineers and the South Florida Water Management District, but because Federal land managers are held to substantially the same standard for adverse modification of critical habitat as for jeopardizing the continued existence of the species (under section 7 of the Act), designation of critical habitat would not appreciably increase the protection offered to this species. Designation of critical habitat may also be imprudent because the habitat currently occupied by Okeechobee gourd is badly degraded and probably only marginally suited to the species; recovery will likely require restoration or other manipulations of its current or potential habit. Labelling the existing habitat as "critical" does nothing to encourage needed changes.

Restoration and protection of this species' habitat will be addressed through the recovery process and through the section 7 consultation process.

Available Conservation Measures

Conservation measures provided to species listed as endangered or threatened under the Endangered Species Act include recognition, recovery actions, requirements for Federal protection, and prohibitions against certain practices. Recognition through listing encourages and results in conservation actions by Federal, State and private agencies, groups, and individuals. The Endangered Species Act provides for possible land acquisition and cooperation with the States and requires that recovery actions be carried out for all listed species. The protection required of Federal agencies and the prohibitions against certain activities involving listed plants are discussed, in part, below.

Section 7(a) of the Act, as amended, requires Federal agencies to evaluate their actions with respect to any species that is proposed or listed as endangered or threatened and with respect to its critical habitat, if any is being disignated. Regulations implementing this interagency cooperation provision of the Act are codified at 50 CFR part 402. Section 7(a)(4) requires Federal agencies to confer informally with the Service on any action that is likely to jeopardize the continued existence of a proposed species or result in destruction or adverse modification of proposed critical habitat. If a species is listed subsequently, section 7(a)(2) requires Federal agencies to ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of such a species or to destroy or adversely modify its critical habitat. If a Federal action may affect a listed species or its critical habitat, the responsible Federal Agency must enter into formal consultation with the Service.

The populations of Okeechobee gourd at the periphery of Lake Okeechobee will require careful management, possibly including a program of habitat modification and enhancement, should such measures prove feasible. Control of extirpation of exotic pest plants such as melaleuca and Brazilian pepper and planting of pond apple may be necessary or desirable to protect existing populations of Okeechobee gourd or to restore former hibitat.

The Act and its implementing regulations found at 50 CFR 17.61, 17.62, and 17.63 set forth a series of general trade prohibitions and exceptions for all endangered plants. All trade prohibitions of section 9(a)(2) of the Act, implemented by 50 CFR 17.61, apply. These prohibitions, in part, make it illegal for any person subject to the jurisdiction of the United States to import or export, transport in interstate or foreign commerce in the course of a commercial activity, sell or offer for sale these species in interstate or foreign commerce, or to remove and reduce to

possession these species from areas under Federal jurisdiction. In addition, for endangered plants, the 1988 amendements (Pub. L. 100–478) to the act prohibit the malicious damage or destruction on Federal lands and the removal, cutting, digging up, or damaging or destroying of endangered plants in knowing violation of any State law or regulation, including State criminal trespass law. Certain exceptions apply to agents of the Service and State conservation agencies. The Act and 50 CFR 17.62 and 17.63 also provide for the issuance of permits to carry out otherwise prohibitied activities involving threatened species under certain circumstances.

It is anticipated that trade permits will be sought and issued because Okeechobee gourd seeds are transported across state lines, and probably internationally, in the course of plant breeding activities and maintenance of cultivated stocks and germplasm. The Okeechobee gourd does not appear to be sold across state lines to any large extent. Requests for copies of the regulations on listed plants and inquiries regarding prohibitions and permits may be addressed to the Office of Management Authority, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, room 432, Arlington, Virginia 22203 (703/358–2104).

Public Comments Solicited

The Service intends that any final rule resulting from this proposal will be as accurate and as effective as possible. Therefore, comments or suggestions from the public, other concerned governmental agenices, the scientific community, industry, or any other interested party concerning this proposed rule are hereby solicited. Comments particularly are sought concerning:

(1) Biological, commercial trade, or other relevant data concerning any threat (or lack thereof) to this species;

(2) The location of any additional populations of this species and the reasons why any habitat should or should not be determined to be critical habitat as provided by Section 4 of the Act;

(3) Additional information concerning the ranges, distributions, and population sizes of this species; and

(4) Current or planned activities in the subject area and their possible impacts on this species.

Final promulgation of the regulation on this species will take into consideration the comments and any additional information received by the Service, and such communications may lead to a final regulation that differs from this proposal.

The Endangered Species Act provides for a public hearing on this proposal, if requested. Requests must be received within 45 days of the date of publication of the proposal. Such requests must be made in writing and addressed to the Jacksonville, Florida, Field Office (see **ADDRESSES** section).

National Environmental Policy Act

The Fish and Wildlife Service has determined that an Environmental Assessment, as defined under the authority of the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Endangered Species Act of 1973, as amended. A notice outlining the Service's reasons for this determination was published in the **Federal Register** on October 25, 1983 (48 FR 49244).

References Cited

A complete list of references cited herein is available upon request from the Service's Jacksonville Field Office (see "**ADDRESSES**" section).

Author

The primary author of this proposed rule is Mr. David Martin (see **ADDRESSES** section).

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, and Transportation.

Proposed Regulation Promulgation

PART 17—[AMENDED]

Accordingly, it is hereby proposed to amend part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361–1407; 16 U.S.C. 1531–1544; 16 U.S.C. 4201–4245; Pub. L. 99–625, 100 Stat. 3500; unless otherwise noted.

2. It is proposed to amend § 17.12(h) by adding the following, in alphabetical order under the family Cucurbitaceae, to the List of Endangered and Threatened Plants:

§ 17.12 Endangered and threatened plants.

* * * * *

(h) * * *

Species		Historic range	Status	When listed	Critical habitat	Special rules
Scientific name	Common name					
*	*	*		*	*	
Cucurbitaceae—Gourd Family:						
*	*	*		*	*	
Cucurbita okeechobeensis	Okeechobee gourd	U.S.A. (FL)	E		NA	NA
*	*	*		*	*	

Dated: May 4, 1992.

Bruce Blanchard,

Acting Director, Fish and Wildlife Service.

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